

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ERIC WEAVER,

Plaintiff,

v.

UNITED STATES OF AMERICA,
ET AL.,

Defendants.

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No. 4:17-CV-1918

(Judge Brann)

ORDER

AND NOW, this 27th day of August 2018, for the reasons set forth in the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Defendants' motion to dismiss (Doc. 25) is **GRANTED**.
2. The Defendants' motion for partial summary judgment (Doc. 16) is **DISMISSED AS MOOT**.
3. Plaintiff's action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.
4. The Clerk of Court is directed to **CLOSE** the case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

United States District Judge